

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00088, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON EMERALD VALLEY ESTATES, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS, Winton & Associates, Inc.** has applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow for a planned residential development;

**WHEREAS,** a report was made to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS,** the City Plan Commission has recommended approval of the subject Special Permit; and

**WHEREAS,** the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

**WHEREAS,** the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows is in an **R-2 (Residential)** District:  
*Emerald Valley Estates, El Paso, El Paso County, Texas*
2. That a planned residential development is authorized by Special Permit in **R-2 (Residential)** districts under Section 20.12.040 of the El Paso Municipal Code; and
3. That the requirements for a planned residential development under Section 20.12.040 have been satisfied; and
4. That the City Council hereby grants a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and
5. That this Special Permit is issued subject to the development standards in the **R-2 (Residential)** district regulations and subject to the approved Site Development Plan, signed

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by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00088** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.**

THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carolyn J. Crosby  
Assistant City Attorney

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Christina Valles, Planner II  
Development Service Department

\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

## AGREEMENT

**Winton & Associates, Inc.**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-2 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

By: \_\_\_\_\_  
(name/title)

(signature)

## ACKNOWLEDGMENT

**THE STATE OF TEXAS       )**

**COUNTY OF EL PASO      )**

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by \_\_\_\_\_, as Applicant.

**My Commission Expires:**

Notary Public, State of Texas  
Notary's Printed or Typed Name: